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August 3, 2005

VIA FAX – (601) 352-7757
and REGULAR MAIL
Ms. Betty Mallett
McGlinchey Stafford PLLC
City Centre, Suite 1100
200 South Lamar Street
Jackson, MS 39201

Re: Olivia Y. et al. v. Barbour et al.

Dear Ms. Mallett:

This is in response to your letter of August 2, 2005 regarding our request that you make John A. available for examination by one of plaintiffs' experts, Dr. Wood Hiatt. As you know, we requested that DHS arrange transport and provide escort to Dr. Hiatt's office in Jackson from where John is presently living in Hattiesburg.

Dr. Hiatt is a medical doctor whose specialties are forensic psychiatry, pediatric/adolescent psychiatry, and general psychiatry. Dr. Hiatt has been retained by plaintiffs to opine about the psychiatric harms, if any, associated with John A.'s experiences in DHS foster care. As part of his evaluation, Dr. Hiatt has informed us that he needs to examine John A.

A review of this type, including an examination, is a standard method of proof in establishing harm on behalf of a named plaintiff, and has gone forward in every one of our cases in which we have sought such an examination. It is entirely consistent with the types of exams anticipated by Fed. Rule of Civ. Pro. 35, and an examination to which we, as John A.'s attorneys, are entitled. Obviously, the only reason we need to go through your client is because he is in DHS' custody.

To answer your additional inquiry, Plaintiffs' attorneys have in fact spoken with John A. about his involvement in this lawsuit.

We certainly appreciate your concern for John's well-being and your need to go through the proper channels. However, given the time constraints under which we are operating concerning expert reports, please do what you need to do on your end concerning this examination, and let us know your position by Monday August 8th, 2005.

Exhibit
D

Many thanks for your anticipated cooperation on this matter. Please contact me if you have any further questions.

Very truly yours,

A handwritten signature in black ink, appearing to read "Susan", followed by a long horizontal flourish.

Susan Lambiase
Plaintiffs' counsel

cc: Wayne Drinkwater & Melody McAnally, Bradley Arant
Stephen Leech, Esq.
John Lang, Loeb & Loeb